

¶138.4 MESSAGE FROM THE SENATE

A message from the Senate by Ms. McDevitt, one of its clerks, announced that the Senate had passed a bill of the following title, in which concurrence of the House is requested:

S. 562. An Act to amend section 255 of the National Housing Act to prevent the funding of unnecessary or excessive costs for obtaining a home equity conversion mortgage.

¶138.5 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

THE SPEAKER pro tempore, Mr. THORNBERRY, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, April 28, 1997.

Hon. NEWT GINGRICH,
The Speaker, U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following messages from the Secretary of the Senate on Friday, April 25, 1997:

That the Senate passed without amendment H.R. 1225.

With warm regards,

ROBIN H. CARLE,
Clerk, U.S. House of Representatives.

¶138.6 ENROLLED BILL SIGNED

THE SPEAKER pro tempore, Mr. THORNBERRY, announced that pursuant to clause 4, rule I, the Speaker signed the following enrolled bill on Friday, April 25, 1997:

H.R. 1225. An Act to make a technical correction to title 28, United States Code, relating to jurisdiction for lawsuits against terrorist states.

¶138.7 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

THE SPEAKER pro tempore, Mr. THORNBERRY, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, April 28, 1997.

Hon. NEWT GINGRICH,
The Speaker, U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Friday, April 25 at 3:59 p.m. and said to contain a message from the President regarding the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction.

With warm regards,

ROBIN H. CARLE,
Clerk, U.S. House of Representatives.

¶138.8 CHEMICAL WEAPONS

The Clerk then read the message from the President, as follows:

To the Congress of the United States:

In accordance with the resolution of advice and consent to ratification of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons

and on Their Destruction, adopted by the Senate of the United States on April 24, 1997, I hereby certify that:

In connection with Condition (1), Effect of Article XXII, the United States has informed all other States Parties to the Convention that the Senate reserves the right, pursuant to the Constitution of the United States, to give its advice and consent to ratification of the Convention subject to reservations, notwithstanding Article XXII of the Convention.

In connection with Condition (7), Continuing Vitality of the Australia Group and National Export Controls: (i) nothing in the Convention obligates the United States to accept any modification, change in scope, or weakening of its national export controls; (ii) the United States understands that the maintenance of national restrictions on trade in chemicals and chemical production technology is fully compatible with the provisions of the Convention, including Article XI(2), and solely within the sovereign jurisdiction of the United States; (iii) the Convention preserves the right of State Parties, unilaterally or collectively, to maintain or impose export controls on chemicals and related chemical production technology for foreign policy or national security reasons, notwithstanding Article XI(2); and (iv) each Australia Group member, at the highest diplomatic levels, has officially communicated to the United States Government its understanding and agreement that export control and nonproliferation measures which the Australia Group has undertaken are fully compatible with the provisions of the Convention, including Article XI(2), and its commitment to maintain in the future such export controls and nonproliferation measures against non-Australia Group members.

In connection with Condition (9), Protection of Advanced Biotechnology, the legitimate commercial activities and interests of chemical, biotechnology, and pharmaceutical firms in the United States are not being significantly harmed by the limitations of the Convention on access to, and production of, those chemicals and toxins listed in Schedule 1 of the Annex on chemicals.

In connection with Condition (15), Assistance Under Article X, the United States shall not provide assistance under paragraph 7(a) of Article X, and, for any State Party the government of which is not eligible for assistance under chapter 2 of part II (relating to military assistance) or chapter 4 of part II (relating to economic support assistance) of the Foreign Assistance Act of 1961: (i) No assistance under paragraph 7(b) of Article X will be provided to the State Party; and (ii) no assistance under paragraph 7(c) of Article X other than medical antidotes and treatment will be provided to the State Party.

In connection with Condition (18), Laboratory Sample Analysis, no sample collected in the United States pur-

suant to the Convention will be transferred for analysis to any laboratory outside the territory of the United States.

In connection with Condition (26), Riot Control Agents, the United States is not restricted by the Convention in its use of riot control agents, including the use against combatants who are parties to a conflict, in any of the following cases: (i) the conduct of peacetime military operations within an area of ongoing armed conflict when the United States is not a party to the conflict (such as recent use of the United States Armed Forces in Somalia, Bosnia, and Rwanda); (ii) consensual peacekeeping operations when the use of force is authorized by the receiving state, including operations pursuant to Chapter VI of the United Nations Charter; and (iii) peacekeeping operations when force is authorized by the Security Council under Chapter VII of the United Nations Charter.

In connection with Condition (27), Chemical Weapons Destruction, all the following conditions are satisfied: (A) I have agreed to explore alternative technologies for the destruction of the United States stockpile of chemical weapons in order to ensure that the United States has the safest, most effective and environmentally sound plans and programs for meeting its obligations under the convention for the destruction of chemical weapons; (B) the requirement in section 1412 of Public Law 99-145 (50 U.S.C. 1521) for completion of the destruction of the United States stockpile of chemical weapons by December 31, 2004, will be superseded upon the date the Convention enters into force with respect to the United States by the deadline required by the Convention of April 29, 2007; (C) the requirement in Article III(1)(a)(v) of the Convention for a declaration by each State party not later than 30 days after the date the Convention enters into force with respect to that Party, on general plans of the State Party for destruction of its chemical weapons does not preclude in any way the United States from deciding in the future to employ a technology for the destruction of chemical weapons different than that declared under that Article; and (D) I will consult with the Congress on whether to submit a request to the Executive Council of the Organization for an extension of the deadline for the destruction of chemical weapons under the Convention, as provided under Part IV(A) of the Annex on Implementation and Verification to the Convention, if, as a result of the program of alternative technologies for the destruction of chemical munitions carried out under section 8065 of the Department of Defense Appropriations Act of 1997 (as contained in Public Law 104-208), I determine that alternatives to the incineration of chemical weapons are available that are safer and more environmentally sound but whose use would preclude the United States from meeting the deadlines of the Convention.

In connection with Condition (28), Constitutional Protection Against Unreasonable Search and Seizure: (i) for any challenge inspection conducted on the territory of the United States pursuant to Article IX, where consent has been withheld, the United States National Authority will first obtain a criminal search warrant based upon probable cause, supported by oath or affirmation, and describing with particularity the place to be searched and the persons or things to be seized; and (ii) for any routine inspection of a declared facility under the Convention that is conducted on an involuntary basis on the territory of the United States, the United States National Authority first will obtain an administrative search warrant from a United States magistrate judge.

In accordance with Condition (26) on Riot Control Agents, I have certified that the United States is not restricted by the Convention in its use of riot control agents in various peacetime and peacekeeping operations. These are situations in which the United States is not engaged in a use of force of a scope, duration and intensity that would trigger the laws of war with respect to U.S. forces.

In connection with Condition (4)(A), Cost Sharing Arrangements, which calls for a report identifying all cost-sharing arrangements with the Organization, I hereby report that because the Organization is not yet established and will not be until after entry into force of the Convention, as of this date there are no cost-sharing arrangements between the United States and the Organization to identify. However, we will be working with the Organization upon its establishment to develop such arrangements with it and will provide additional information to the Congress in the annual reports contemplated by this Condition.

WILLIAM J. CLINTON.

THE WHITE HOUSE, April 25, 1997.

By unanimous consent, the message was referred to the Committee on International Relations and ordered to be printed (H. Doc. 105-77).

¶38.9 SENATE BILL REFERRED

A bill of the Senate of the following title as taken from the Speaker's table and, under the rule, referred as follows:

S. 562. An Act to amend section 255 of the National Housing Act to prevent the funding of unnecessary or excessive costs for obtaining a home equity conversion mortgage; to the Committee on Banking and Financial Services.

¶38.10 BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on the following date present to the President, for his approval, a bill of the House of the following title:

On April 25, 1997:

H.R. 1225. An Act to make a technical correction to title 28, United States Code, relating to jurisdiction for lawsuits against terrorist states.

And then,

¶38.11 ADJOURNMENT

On motion of Mr. PAUL, pursuant to the special order agreed to on Thursday, April 24, 1997, at 3 o'clock and 25 minutes p.m., the House adjourned until 12:30 p.m. on Tuesday, April 29, 1997.

¶38.12 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LEACH: Committee on Banking and Financial Services. H.R. 2. A bill to repeal the United States Housing Act of 1937, deregulate the public housing program and the program for rental housing assistance for low-income families, and increase community control over such programs, and for other purposes; with an amendment (Rept. No. 105-76). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARCHER: Committee on Ways and Means. H.R. 867. A bill to promote the adoption of children in foster care; with an amendment (Rept. No. 105-77). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARCHER: Committee on Ways and Means. H.R. 1048. A bill to make technical amendments relating to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996; with an amendment (Rept. No. 105-78 Pt. 1). Ordered to be printed.

Mr. THOMAS: Committee on House Oversight. House Resolution 129. Resolution providing amounts for the expenses of certain committees of the House of Representatives in the 105th Congress; with an amendment (Rept. No. 105-79). Referred to the House Calendar.

¶38.13 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 1048. Referral to the Committees on the Judiciary and Education and the Workforce extended for a period ending not later than April 29, 1997.

¶38.14 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CRANE:

H.R. 1463. A bill to authorize appropriations for fiscal years 1998 and 1999 for the Customs Service, the Office of the U.S. Trade Representative, and the International Trade Commission; to the Committee on Ways and Means.

By Mr. THOMAS (for himself, Mr. CARDIN, Mr. BILIRAKIS, and Mr. STARK):

H.R. 1464. A bill to amend titles XVIII and XIX of the Social Security Act to expand and make permanent the availability of cost-effective, comprehensive acute and long-term care services to frail elderly persons through Programs of All-inclusive Care for the Elderly [PACE] under the Medicare and Medicaid Programs; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall with-

in the jurisdiction of the committee concerned.

By Mr. BUNNING of Kentucky:

H.R. 1465. A bill to amend the Internal Revenue Code of 1986 to restore the deduction for interest on certain educational loans; to the Committee on Ways and Means.

By Mr. EHRLICH:

H.R. 1466. A bill to direct the Secretary of Veterans Affairs to transfer certain Fort Howard Park lands to Baltimore County, MD; to the Committee on Veterans' Affairs.

By Mr. NEY:

H.R. 1467. A bill to provide for the continuance of oil and gas operations pursuant to certain existing leases in the Wayne National Forest; to the Committee on Resources.

¶38.15 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 133: Mr. CONDIT.

H.R. 218: Mr. SOLOMON and Mr. THORNBERRY.

H.R. 279: Mr. MEEHAN.

H.R. 321: Mr. PAUL.

H.R. 322: Mr. SAXTON.

H.R. 475: Mr. KOLBE and Mr. SAM JOHNSON.
H.R. 631: Mr. MANZULLO and Mr. INGLIS of South Carolina.

H.R. 663: Ms. CHRISTIAN-GREEN, Mr. STARK, Mr. GONZALEZ, Mr. OWENS, Mr. BERMAN, Mr. DELLUMS, Ms. KILPATRICK, and Mr. ROTHMAN.
H.R. 867: Ms. GRANGER, Mr. FAWELL, Mr. BLAGOJEVICH, and Mr. FAZIO of California.

H.R. 919: Mr. LUTHER.

H.R. 955: Mr. HULSHOF, Mr. BLUNT, and Mr. LEWIS of California.

H.R. 1013: Mr. BILBRAY, Mr. GEJDENSON, Mr. CRAMER, Mr. GREENWOOD, Mr. LEWIS of Georgia, Mr. BROWN of California, Mr. OXLEY, and Ms. KAPTUR.

H.R. 1061: Mr. MOAKLEY.

H.R. 1063: Mr. KLECZKA, Mr. HOLDEN, and Mr. NEY.

H.R. 1115: Mr. DELLUMS, Mr. KENNEDY of Rhode Island, Mr. TIERNEY, Mrs. CLAYTON, Mr. DAVIS of Illinois, Mr. MILLER of California, Mr. RANGEL, Ms. WATERS, Mrs. THURMAN, and Mr. THOMPSON.

H.R. 1126: Mr. DICKS and Mr. GILLMOR.

H.R. 1161: Mr. NEY, Mr. TALENT, Mr. BOSWELL, and Mr. WALSH.

H.R. 1205: Mr. GALLEGLY.

H.R. 1329: Mr. EHLERS.

H.R. 1367: Mr. KIND of Wisconsin.

H.R. 1385: Mr. BARRETT of Nebraska, Mr. PETERSON of Pennsylvania, and Mr. RIGGS.

H.R. 1432: Mr. MATSUI and Mr. SHAYS.

H.R. 1450: Ms. WOOLSEY and Mr. BONIOR.

H.J. Res. 66: Mr. OWENS, Mr. CONYERS, Mr. UNDERWOOD, Mr. JACKSON, and Mr. MEEHAN.

H. Con. Res. 55: Mr. GEJDENSON, Mr. COX of California, Mr. LIPINSKI, Ms. NORTON, Mr. LEVIN, Mr. BERMAN, Ms. MCKINNEY, Mr. ACKERMAN, Ms. RIVERS, and Mr. NADLER.

TUESDAY, APRIL 29, 1997 (39)

¶39.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mr. BLILEY, who laid before the House the following communication:

WASHINGTON, DC,
April 29, 1997.

I hereby designate the Honorable TOM BLILEY to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

Whereupon, pursuant to the order of the House of Tuesday, January 21, 1997,